

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-8 are pending in the application, with claims 1, 3 and 8 being the independent claims. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to Claims

Claims 6 and 7 is allegedly objected to for being improper. Claim 6 is amended herein to place the multiple dependency in alternative form and claim 7 is amended herein to remove its multiple dependency. Accordingly, Applicants respectfully request that the objections be withdrawn.

Rejections under 35 U.S.C. § 101

Claim 8 is allegedly rejected under 35 U.S.C. § 101 because "it is unclear to the Examiner if the information recording medium is software that is executable by a computer or something else." Applicants traverse this rejection.

The rejection of claim 8 under 35 U.S.C. § 101 appears to be improper as it does not state why the subject matter of claim 8, as originally filed, does not constitute patentable subject matter or why it lacks utility. Furthermore, claim 8 is amended herein for reasons not relating to this rejection to recite "a system for reading an information

recording medium with a prescribed reproduction device" which is considered to be patentable subject matter. In addition, the system has utility because it recites an information recording medium having prescribed control information recorded thereon wherein the prescribed control information contains a control program for a prescribed reproduction device to perform a plurality of functions. Accordingly, Applicants request that this rejection be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 1-8 are allegedly rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse these rejections.

With respect to items 10-15 and 17 of the Office Action, the claims are amended herein to remove all the noted problems with a lack of antecedent basis.

With respect to item 16 of the Office Action, claim 3 is amended herein to remove the term "prescribe position information."

With respect to items 17 and 18 of the Office Action, claim 8 is amended herein to remove the phrases "is used for" and "to realize."

Applicants request that these rejections be withdrawn.

Rejections under 35 U.S.C. § 102 and § 103

Claims 1-4 are allegedly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent App. Pub. No. 2002/0144116 to Giobbi *et al.* ("the Giobbi publication").

Claims 5 and 8 are allegedly rejected under 35 U.S.C. § 103(a) as being unpatentable over the Giobbi publication in view of U.S. Patent App. Pub. No. 2003/0016827 to

Reply to Office Action of October 4, 2007

SHIONOYA *et al.*
Appl. No. 10/533,875

Asano *et al.* ("the Asano publication"). Claim 8 is allegedly rejected under 35 U.S.C. § 103(a) as being unpatentable over the Giobbi publication in view of U.S. Patent App. Pub. No. 2002/0129254 to Kuroda *et al.* ("the Kuroda publication"). Applicants respectfully traverse these rejections.

Independent Claim 1

Claim 1, as amended herein, recites "a viewing management method for managing the viewing of a content recorded on an information recording medium readable with a prescribed reproduction device, said method comprising: presenting an acquisition code prerecorded on said information recording medium to a viewer desiring to view a viewing management target content." Further claim 1 recites "a password management table associating said password with said acquisition code is recorded on said information recording medium, and said prescribed reproduction device presents an acquisition code corresponding to a random number generated according to a prescribed random function." The Giobbi publication fails to disclose the recited features of the claimed invention.

The Giobbi publication discloses a method of managing digital rights wherein a user is provided with a physical key that contains a first activation code. The user transmits the first activation code to a digital content provider along with a request to purchase digital content. The first activation code is validated and the digital content provider delivers the digital content to the user after it is marked with a second activation code associated with the first activation code and encrypted. The user enters the encrypted digital content into a playing device and the physical key transmits the first activation code to the playing device. The playing device reads the first activation code

transmitted to it and the second activation code marked on the digital content. The playing device determines if the first and second activation codes are associated and if so plays the digital content. See paragraphs 0021-0032 and FIG. 1.

The Giobbi publication fails to disclose or suggest viewing the content of an information recording medium having an acquisition code prerecorded on the information recording medium. The Examiner appears to correlate the physical key to the information recording medium and the first activation code to the acquisition code. However, the content that is to be "viewed" by the user in the Giobbi publication is in the encrypted digital content and not the physical key. Further the Giobbi publication fails to disclose or suggest a password management table associating said password with said acquisition code is recorded on said information recording medium and that said prescribed reproduction device presents an acquisition code corresponding to a random number generated according to a prescribed random function. Accordingly, the Giobbi publication fails to anticipate the claimed invention.

For at least the reasons noted above, independent claim 1, and claim 2 that depends therefrom and adds further limitations, are allowable. Applicants respectfully request that the rejections of claims 1 and 2 be withdrawn and the claims allowed.

Independent Claim 3

Claim 3, as amended herein, recites "a viewing management method for managing the viewing of a content recorded on an information recording medium readable with a prescribed reproduction device, comprising ...a step of said prescribed reproduction device presenting a prescribed acquisition code to a viewer, and urging the viewer to input a prescribed password." Further claim 3 recites "a password

management table associating said password with said acquisition code is recorded on said information recording medium, and said prescribed reproduction device presents an acquisition code corresponding to a random number generated according to a prescribed random function." The Giobbi publication fails to disclose the recited features of the claimed invention.

The Giobbi publication fails to disclose or suggest a reproduction device presenting an acquisition code to a viewer and urging the viewer to input a password. The Examiner appears to correlate the digital playing device in the Giobbi publication to the prescribed reproduction device. However, as noted above, the Giobbi publication discloses that the user enters the encrypted digital content into a digital playing device and then the user places the physical key in close proximity to the playing device so that the physical key transmits the first activation code to the playing device. The playing device reads the first activation code transmitted to it and the second activation code marked on the digital content. See paragraphs 0030 and 0031. The digital playing device does not present a prescribed acquisition code to the viewer and urge the viewer to input a prescribed password. Further the Giobbi publication fails to disclose or suggest a password management table associating said password with said acquisition code is recorded on said information recording medium and that said prescribed reproduction device presents an acquisition code corresponding to a random number generated according to a prescribed random function. Accordingly, the Giobbi publication fails to anticipate the claimed invention.

For at least the reasons noted above, independent claim 3, and claims 5-7 which depend therefrom and add further limitations, are allowable. Applicants respectfully request that the rejections of claims 3 and 5-7 be withdrawn and the claims allowed.

Independent Claim 8

Claim 8, as amended herein, recites a system for reading an information recording medium wherein the information recording medium has recorded thereon "a viewing management target content, a prescribed password management table and prescribed control information...wherein the said prescribed control information contains a control program for said prescribed reproduction device to perform a plurality of functions." The functions include, "presenting a prescribed acquisition code corresponding to a random number generated according to a prescribed random function to said viewer and urging said viewer to input a prescribed password associated with said present prescribed acquisition code in said prescribed password management table, performing authentication of said input prescribed password when said viewer inputs said prescribed password, and reproducing said viewing management target content according to the result of said authentication." The Giobbi publication fails to disclose or suggest the recited features of the claimed invention.

The Giobbi publication fails to disclose or suggest an information recording medium that has recorded thereon a viewing management target content, a prescribed password management table and prescribed control information. As noted above in the discussion of claim 1, the Examiner appears to have correlated the physical key with the information recording medium. However, the Giobbi publication discloses that the viewing management target content that is to be "viewed" by the user is in the encrypted

digital content and not the physical key. Furthermore, the Giobbi publication fails to disclose or suggest that the physical key has a password management table recorded thereon.

In addition, the Giobbi publication fails to disclose or suggest an information recording medium having prescribed control information recorded thereon that contains a control program for said prescribed reproduction device to perform a plurality of functions including presenting a prescribed acquisition code to said viewer and urging said viewer to input said prescribed password. As noted above in the discussion of claim 3, the Giobbi publication discloses that the user enters the encrypted digital content into a digital playing device and then the user places the physical key in close proximity to the playing device so that the physical key transmits the first activation code to the playing device. The playing device reads the first activation code transmitted to it and the second activation code marked on the digital content. See paragraphs 0030 and 0031. Neither the encrypted digital content, nor the physical key, have recorded thereon prescribed control information that contains a control program for the digital playing device to perform a plurality of functions including presenting a prescribed acquisition code to the viewer and urging the viewer to input a prescribed password. Accordingly, the Giobbi publication fails to anticipate or suggest the claimed invention.

The Asano and Kuroda publications also fail to suggest the recited features of the claimed invention.

For at least the reasons noted above, independent claim 8 is allowable. Applicants respectfully request that the rejection of 8 be withdrawn and the claim allowed.

Reply to Office Action of October 4, 2007

SHIONOYA *et al.*
Appl. No. 10/533,875

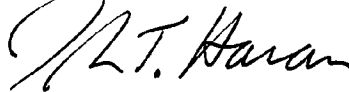
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John T. Haran
Attorney for Applicants
Registration No. 58,010

Date: 2/4/08

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
757338